

March 21, 2017

Patrick McConnell

PA Dept. of Environmental Protection

Mr. McConnell

In this age of mistrust, public officials willingly betray their constituents and, as we learned from Flint, Michigan, sell them down the river. I fear a similar process is happening on our home ground with the "Bishop Tube Site".

This contaminated industrial site needs complete remediation and yet is about to fall into the hands of developers, Constitution Drive Partners, whose intent is to build a residential community. It is difficult to grasp the concept of homes built on toxic waste. How can this be a good thing?

Moreover, the developer may receive public funds for a partial remediation, leaving unknown amounts of waste and contamination behind. This would be an outrageous mistake.

As acting secretary, sir, I urge you to act on behalf of environmental protection. Clean up this site and allow it to return to its natural state as a wooded area.

Sincerely,

Ex. 6 Personal Privacy (PP)

Mahrem, PA 19355

Ex. 6 Personal Privacy (PP)



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

April 11, 2017

Mr. Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Marvern, PA 19355

Re: Bishop Tube HSCA Site
East Whiteland Township, Chester County

Dear Mr. Ex. 6 Personal Privacy (PP)

Thank you for your letter dated March 27, 2017 addressed to Acting Secretary Patrick McDonnell. We appreciate your concern regarding the proposed development of the Bishop Tube HSCA Site by the current owner of the property, Constitution Drive Partners L.P. (CDP).

While we understand that CDP is proposing residential development at the Site, CDP has not yet submitted any permit applications related to proposed development activities such as storm water management, etc. Moreover, we consider any local land development issues, such as zoning or other local ordinance matters, to be exclusively within the purview of East Whiteland Township. Please know that the Department takes no position with regard to how the Township responds to those issues.

With regard to the cleanup of the Bishop Tube Site itself, the Department's responsibility, under the Hazardous Sites Cleanup Act, is to select and assure a remedy that is protective of human health and the environment and otherwise complies with all statutory and regulatory requirements. As part of that process, the Department is presently under binding agreement with Johnson Matthey, Inc. and Whitaker Corporation to complete a comprehensive study of the entire Site, including all impacts to groundwater and surface waters, and to propose alternative ways to clean the Site up. We expect this study (referred to as a Remedial Investigation/Feasibility Study or RI/FS) to be completed by Summer 2017. Once the RI/FS is complete, the Department will select a final remedy for the Site. The selection process will involve both a written public comment period and a local public hearing. We look forward to hearing from any and all members of the public as a part of that process.

In the meantime, CDP has expressed their intent to apply for a grant under the Industrial Sites Reuse Program (ISRP) administered by the Department of Community and Economic Development (DCED). The proposal under the grant is to excavate the most highly contaminated areas of the Bishop Tube Property, transport these contaminated soils to an off-site disposal facility, and backfill the areas with clean fill.

April 11, 2017

While DCED will ultimately decide whether or not to issue the grant, the Department's responsibility in this process is to review the Scope of Work (SOW) to determine if the proposed activities will comply with all of the environmental statutes the Department administers. To date, we have reviewed and commented on versions of the SOW but have not yet issued any approval. Please know that we will be closely scrutinizing the SOW to ensure that all activities, including such issues as fugitive dust emissions, are conducted in a responsible and lawful manner. In addition, if an ISRP Grant is awarded, the Department will be overseeing remediation work to assure that it is conducted in a manner that conforms to the approved SOW.

Once again, please understand that any excavation and off-site disposal of contaminated soils conducted by CDP under an approved SOW pursuant to the proposed grant would not be a final remediation of the Site but would only be one potential step towards a final cleanup. As I said above, we are nearing completion of the final RI/FS for this Site and will be selecting final remedial action later in the year through a very public Administrative Record process.

We are also working to develop a public webpage where we can keep up to date information the Department's oversight of the Site. We hope that it will go live within the next week or so.

Thank you for your interest in this matter. I hope this information is helpful. If you have any questions or require additional information, please do not hesitate to contact Dustin Armstrong at 484.250.5723 or by e-mail at darmstrong@pa.gov.

Sincerely,



Anderson Lee Hartzell
Acting Regional Director

cc: Senator Andrew Dinniman
Representative Duane Milne
Mr. Nagle - East Whiteland Twp.
East Whiteland Twp. EAC
Chester County Health Department
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